

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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:
SHAWMUT WOODWORKING & SUPPLY, INC. :
d/b/a SHAWMUT DESIGN AND CONSTRUCTION, :
:
Plaintiff, :
:
-v- :
:
STARBUCKS CORPORATION d/b/a STARBUCKS :
COFFEE COMPANY, :
:
Defendant. :
:
-----X

20cv2289 (DLC)

ORDER

DENISE COTE, District Judge:

On April 7, 2020, defendant filed a motion to dismiss the complaint pursuant to Rule 12(b)(6), Fed. R. Civ. P. Under Rule 15(a)(1)(B), Fed. R. Civ. P., a plaintiff has 21 days after the service of a motion under Rule 12(b) to amend the complaint once as a matter of course. Accordingly, it is hereby

ORDERED that plaintiff shall file any amended complaint by May 1, 2020. It is unlikely that plaintiff will have a further opportunity to amend.


IT IS FURTHER ORDERED that if no amended complaint is filed, plaintiff shall file any opposition to the motion to dismiss by May 1, 2020. Defendant's reply, if any, shall be filed by May 15.

IT IS FURTHER ORDERED that, pursuant to Rule 4(C) of the Court's Individual Rules of Practice in Civil Cases, the

plaintiff shall file on ECF, by May 1, 2020, a letter no longer than two pages explaining the basis for its belief that diversity of citizenship exists.

SO ORDERED:

Dated: New York, New York
April 8, 2020



DENISE COTE
United States District Judge